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Marlene H. Dortch, Secretary
Federal Communications Commission
455 12th Street SW
Washington, D.C. 20012

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FCC WT Docket NPRM 05-235
(VIA EMAIL TO FCC WEBSITE)

TO THE COMMISSION:

After reading the findings and proposals of the Commission, regarding the reviewed and rejected or approved proposals by various amateur Groups and associations' regarding the re-structuring of PART 97 (Amateur Service).

Here are my personal comments on this matter before the Commission.

This is the first time in the history of the Federal Communications' Commission which feels that continuing Morse Code Telegraphy should not be a required testing parameter in order to license a General or Extra Class License.

The history behind Morse Code is genuine, and far-reaching, in terms of its' success as a communications form in this country since the late 1800's, to present day.

Sending (transmitting) Morse code requires a minimum of RF wattage to send and receive a message which can life-saving in time of need, when voice or digital communications cannot travel the vast distances sometimes needed for rescue and response from a remote area, to a city or urban setting on HF frequencies.

As recently evidenced by a Morse Code vs. Cell phone text message race, which was televised on the Jay Leno Show (NBC), Morse Code won the race hands down, and actually got the message to the receiver *faster than* a modern day cell phone!

When the terrorist attacks of September 11th, 2001 occurred here in the Washington Metropolitan area, Amateur Radio operators were in fact passing emergency, and health and welfare

traffic, using this mode (Morse code) of communications in regional and section traffic nets, to Virginia Emergency Operations Centers, the Red Cross, and numerous local jurisdictions.

Although not required to utilize the code after an applicant passes a test, the proficiency of Morse code is one aspect of this hobby many new amateur operators enjoy today,

And it is because of the Commissions keeping the code requirement to this day that they are still using it to communicate locally, regionally, and worldwide.

The FCC has stated the following in its' report and order of July 20th 2005, to wit:

(20).FCC Quote: "Likewise, we are not persuaded by PRARL's (Puerto Rico Amateur Radio Leagues') argument that telegraphy proficiency should be required for the Amateur Extra Class License because amateur stations may provide or assist with emergency communications."

The current ruling goes on to say that The F.C.C. itself is contradicting it's own Rules, when it stated in the same paragraph, that it does not require amateur radio operators to perform emergency communications".

That statement while technically correct, does not address the many emergency communications groups in this country who do provide emergency communications and is a slap in the face to those who have done so in the past, especially the hurricane nets, the ARES and RACES groups who have had a direct impact on summoning aid and relief supplies to devastated areas after such events.

I wish to point out that the proof the FCC requires emergency communications is written in the F.C.C.'s own rules regarding RACES operations.

In Part 97.407, states:

No station may transmit in RACES (Radio Amateur Civil Emergency Service), unless it is a F.C.C. Licensed Primary, Club, or Military Recreation station...

In Part 97.403, states:

No provision of these Rules prevents the use by an amateur station of any means of radio communication at its' disposal to provide essential communication needs in connection with the safety of human life and the immediate protection of property when normal communication systems are not available.

Surely, by reading this one paragraph above, it is clear that this was meant to be interpreted as allowing use of Morse Code, to facilitate relief of human suffering and damage to property when voice and data cannot penetrate areas with no other communications (telephone, internet, digital voice) availability, it is both sanctioned and approved by the FCC.

Realizing that the average median age of amateur radio operators of the country is now approaching 45 years old, and will surpass it soon, still the FCC feels that it is notable to deny the youth of our country the privilege of holding a FCC amateur radio license with Morse Code included as a requirement because the majority of people who have never used Morse code or understand its' origin feels that it is "outdated, old, and not a current (present day) mode of communications", is wrong in my opinion, and is still proven to be in fact faster than a cell phone text message to be able to transmit a message "when all other forms of communications fail", ie: - TV, AM-FM radios and telephone (cell and hard line).

In cooperation with the U.S. Department of Homeland Security since September 11th 2001, various Departments of Emergency Managements, Volunteer Fire and Rescue Departments, and served agencies, ARES® and RACES Amateur Radio operators pass messages critical to public safety. Most amateur radio repeaters are identified using Morse Code, which is more expedient than a pre-recorded voice ID, to identify the call sign of the repeater station. These "CW ID's" are in fact also

still in use in the public safety system, for thousands of fire/rescue and police and other public service systems nationwide.

RACES operators, ARES® operators, and Red Cross amateur radio operators responded as first responders on 9-11-2001, because critical infrastructure and communications were overloaded, or non-existent, and amateur radio operators of all classes have demonstrated their capability to provide emergency communications during 9-11, Tsunamis, Hurricanes, and hazardous weather conditions, and they will continue to voluntarily provide these communications wherever and whenever disaster strikes. These organizations train regularly and hold weekly nets to test coverage and proficiency of its' operators.

They have won admiration for doing this, and respect of numerous government entities and organizations that provide disaster relief.

In additional consideration of the License class tiered system now in place, the FCC does a dis-service to the young people of this country by not encouraging NOVICE stations who only used to be able to transmit Morse Code on certain frequency allotments made by the Commission. In closing, I was counting on taking the Morse Code 5 WPM test to upgrade to General class, however if the aim of the Commission is to eliminate the code, it will create an environment that will make absent one of the mainstays of Amateur radio, and in my opinion disregard years of operator proficiency and learning.

I also ask that the Commission look at the past documents of FCC generated Amateur Radio rulings, which prove years of retention of the CW telegraphy requirement.

I hope the Commission re-considers this proposed revision of amateur radio communications testing, and does not change the rules on testing for CW - Morse Code for General and Extra Class licensees, to suit the whims of a few who wish to discount the importance of keeping the Code requirement as part of obtaining a higher class Amateur Radio License.

Regards,

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Via e-mail

***Member: ARRL, Vienna Wireless Society, Fairfax County ARES®
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